

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
AT SPOKANE

DUANE HOPKINS,

Plaintiff,

v.

MERIDIAN MANAGEMENT
SOLUTIONS, LLC,

Defendant,

NO. 2:09-CV-00063-RHW

ANSWER OF DEFENDANT

COMES NOW, Meridian Management Solutions, LLC, Defendant in the
above-styled action, by and through its undersigned counsel, and submits this
Answer to Plaintiff's Complaint by showing stating as follows:

ANSWER OF
DEFENDANT

STEPHEN A. BERNHEIM
ATTORNEY AT LAW
512 Bell Street
Edmonds, Washington 98020
(425) 712-8318
Fax (425) 712-8418
e-mail:steve@stevebernheim.com

1 **FIRST DEFENSE**

2 Any alleged act or omission causing any damage alleged by Plaintiff was
3
4 not the result of willful conduct.

5 **SECOND DEFENSE**

6 Plaintiff's Complaint does not state a claim against this Defendant upon
7
8 which relief may be granted.

9 **THIRD DEFENSE**

10 Defendant acted in good faith at all times and did not mislead, deceive,
11
12 or misrepresent any facts to Plaintiff.

13 **FOURTH DEFENSE**

14 Any alleged act or omission of Defendant was not intentional and was
15
16 the result of a *bona fide* error notwithstanding the maintenance of procedures
17
18 reasonably adapted to avoid any such error.

19 **FIFTH DEFENSE**

20 Defendant is not the cause of any damage alleged by Plaintiff.
21

22 **SIXTH DEFENSE**

23 Plaintiff has not suffered any actual damage.
24

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26 DEFENDANT

1 **SEVENTH DEFENSE**

2 Subject to and without waiving any above-referenced defenses,
3
4 Defendant responds to Plaintiff's Complaint as follows:

5 **NATURE OF ACTION**

- 6
7 1. Defendant denies that it has violated the Fair Debt Collection
8 Practices Act or any state laws.

9 **JURISDICTION**

- 10
11 2. Defendant admits the allegations in Paragraph 2 of the Complaint.

12 **PARTIES**

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14 3. Defendant is without knowledge or information sufficient to form a
15 belief as to the allegations in Paragraph 3 of the Complaint. Insofar as
16 Defendant is required to respond to these allegations, Defendant
17 denies same.
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19 4. Defendant is without knowledge or information sufficient to form a
20 belief as to the allegations in Paragraph 4 of the Complaint. Insofar as
21 Defendant is required to respond to these allegations, Defendant
22 denies same.
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1 5. Defendant denies the allegations in Paragraph 5 of the Complaint.

2
3 6. Defendant denies the allegations in Paragraph 6 of the Complaint.

4 **FACTUAL ALLEGATIONS**

5 7. Defendant denies the allegations in Paragraph 7 of the Complaint.

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7 8. Defendant denies the allegations in Paragraph 8 of the Complaint.¹

8
9 9. Defendant denies the allegations in Paragraph 9 of the Complaint.

10 10. Defendant denies the allegations in Paragraph 10 of the Complaint.

11 11. Defendant denies the allegations in Paragraph 11 of the Complaint,
12 and Defendant denies that Plaintiff is entitled to recover any of the
13 damages sought in Paragraph 11 of the Complaint.

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15 12. Defendant denies the allegations in Paragraph 12 of the Complaint,
16 and Defendant denies that Plaintiff is entitled to recover any of the
17 damages sought in Paragraph 12 of the Complaint.

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20 13. Defendant denies the allegations in Paragraph 13 of the Complaint,
21 and Defendant denies that Plaintiff is entitled to recover any of the
22 damages sought in Paragraph 13 of the Complaint.

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1 14. Defendant denies all remaining allegations contained in the Complaint
2 not specifically admitted herein.
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4 WHEREFORE, Defendant respectfully requests that this honorable Court
5 dismiss Plaintiff's Complaint in its entirety with prejudice, and cast all fees and
6 expenses as a result of this action against Plaintiff.
7

8 RESPECTFULLY SUBMITTED this 19th day of May, 2009.
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11 /s/ Stephen A. Bernheim
12 Stephen A. Bernheim, WSBA #15225
13 Attorney for Defendant
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24 ¹ Defendant is treating the unnumbered paragraph beginning at line one of page 3 of the Complaint as Paragraph
25 8.

26 ANSWER OF
27 DEFENDANT
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